

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on November 1, 2005 at 7:00 p.m.

Mayor White presiding.

The following members of the Council answered roll call: YEA Commissioner David Cline,YEA Commissioner Terry Cook, YEA Commissioner Randy Ervin, YEA Commissioner David Schilling, YEA Mayor Charles E. White.

Also in attendance were City personnel: City Administrator Richard Underkofler, City Attorney/Treasurer J. Preston Owen, Public Works Director David Wortman, Community Coordinator Kyle Gill, Police Chief Larry Metzelaars, Fire Chief Bruce Grafton, Tourism Director Beth Hettinger, and City Clerk Susan O’Brien.

CONSENT AGENDA

(Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.)

Mayor White seconded by Commissioner Cook moved to approve the consent agenda consisting of minutes of the regular meeting October 18; payroll and bills for the second half of October; Special Ordinance 2005-1099, authorizing a variance of the 25-foot side yard setback dimension to enable construction of single family residential units with 11-foot side yards in Block One of Elmwood Place Addition to the City of Mattoon – Community Unit School District #2, Applicant; Council Decision Request 2005-527, approving specifications, a cost estimate and authorizing a solicitation for competitive bids for replacement weapons for the Police Department; Council Decision Request 2005-528, approving specifications, a cost estimate and authorizing a solicitation for competitive bids for replacement portable radios for the Police Department; Council Decision Request 2005-529, reporting bids received and authorizing a \$208,098 contract with GRR Construction for three sewer projects, including sidewalk and ramp replacement along 24th Street 333 feet south of Marion; Wabash from 9th Street to 7th Street and 150 north along 7th Street; and in the alley between Edgar and Lafayette from 17th Street to Lake Land Boulevard; Council Decision Request 2005-530, approving a \$3,000 grant from Hotel/Motel Tax Funds to the Coles County Modified Midget Racing Association to host the NMMA Nationals, an event to be held August 1-5, 2006.

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| Bills and Payroll for the last half of October | | | |
| <u>General Fund</u> | | | |
| Payroll | | \$ | 243,698.46 |
| Bills | | \$ | 53,659.99 |
| | Total | \$ | 297,358.45 |
| <u>Hotel Tax Fund</u> | | | |
| Payroll | | \$ | 1,400.33 |
| Bills | | \$ | 4,472.09 |
| | Total | \$ | 5,872.42 |
| <u>Festival Management</u> | | | |
| Bills | | \$ | 6,957.60 |
| | Total | \$ | 6,957.60 |
| <u>Insurance & Tort Judgment</u> | | | |
| Bills | | \$ | 5,550.00 |
| | Total | \$ | 5,550.00 |
| <u>Capital Project Fund</u> | | | |
| Bills | | \$ | 57,376.50 |
| | Total | \$ | 57,376.50 |
| <u>Water Fund</u> | | | |
| Payroll | | \$ | 30,947.94 |
| Bills | | \$ | 137,691.45 |
| | Total | \$ | 168,639.39 |
| <u>Sewer Fund</u> | | | |
| Payroll | | \$ | 29,304.03 |

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|---------|-----------------------------------|--------------|
| Bills | | \$ 21,585.92 |
| | Total | \$ 50,889.95 |
| | <u>Cemetery Fund</u> | |
| Payroll | | \$ 3,053.55 |
| Bills | | \$ 34,182.13 |
| | Total | \$ 37,235.68 |
| | <u>Motor Fuel Tax Fund</u> | |
| Bills | | \$ 9,935.87 |
| | Total | \$ 9,935.87 |
| | <u>Health Insurance</u> | |
| Bills | | \$ 47,299.47 |
| | Total | \$ 47,299.47 |

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2005-1099

**AN ORDINANCE AUTHORIZING A VARIANCE OF THE 25-FOOT SIDE YARD SETBACK DIMENSION TO
ENABLE CONSTRUCTION OF SINGLE FAMILY RESIDENTIAL UNITS WITH 11-FOOT SIDE YARDS IN BLOCK ONE 1
IN ELMWOOD PLACE ADDITION TO THE CITY OF MATTOON, COLES COUNTY, ILLINOIS- COMMUNITY
UNIT SCHOOL DISTRICT #2, APPLICANT**

WHEREAS, a Petition for Variance was filed with the City Clerk for the City of Mattoon by MATTOON COMMUNITY UNIT SCHOOL DISTRICT NO. TWO (2) OF COLES AND CUMBERLAND COUNTIES on the 28th day of September, 2005 requesting that the City of Mattoon, Illinois grant a variance on side yard setback from twenty-five (25) feet to eleven (11) feet for the real estate described as follows:

TRACT I:

LOT ONE (1) AND THE NORTH TWENTY-FIVE (25) FEET OF LOT TWO (2), IN BLOCK ONE (1) IN ELMWOOD PLACE ADDITION TO THE CITY OF MATTOON, COLES COUNTY, ILLINOIS.
(Also known as 1201 South 16th Street, Mattoon, Illinois.)

TRACT II:

LOT SIX (6) AND THE SOUTH TWENTY-FIVE (25) FEET OF LOT FIVE (5), IN BLOCK ONE (1) IN ELMWOOD PLACE ADDITION TO THE CITY OF MATTOON, COLES COUNTY, ILLINOIS.
(Also known as 1221 South 16th Street, Mattoon, Illinois.)

TRACT III:

LOT SEVEN (7) AND THE SOUTH TWENTY-FIVE (25) FEET OF LOT EIGHT (8), IN BLOCK ONE (1) IN ELMWOOD PLACE ADDITION TO THE CITY OF MATTOON, COLES COUNTY, ILLINOIS. (Also known as 1220 South 17th Street, Mattoon, Illinois.)

TRACT IV:

LOT TWELVE (12) AND THE NORTH TWENTY-FIVE (25) FEET OF LOT ELEVEN (11), IN BLOCK ONE (1) IN ELMWOOD PLACE ADDITION TO THE CITY OF MATTOON, COLES COUNTY, ILLINOIS. (Also known as 1220 South 17th Street, Mattoon, Illinois.)

WHEREAS, a public hearing was held before the Zoning Board of Appeals for the City of Mattoon on the 18th day of October, 2005, pursuant to published notice;

WHEREAS, the Zoning Board of Appeals forwarded the report of the public hearing to the Mattoon Planning Commission;

WHEREAS, said Mattoon Planning Commission considered said Petition for Variance and recommended the Petition for Variance be approved by the Zoning Board of Appeals and the City Council of the City of Mattoon;

WHEREAS, said Zoning Board of Appeals considered said Petition for Variance at a meeting held on the 1st day of November, 2005 and recommended that said Petition for Variance be approved;

WHEREAS, this City Council believes that said Petition for Variance should be approved.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mattoon, Illinois as follows, to-wit:

Section 1. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. It is hereby determined and found by the City Council of the City of Mattoon, Illinois and corporate authorities of said City of Mattoon that the Petition for Variance submitted by MATTOON COMMUNITY UNIT SCHOOL DISTRICT NO. TWO (2) OF COLES AND CUMBERLAND COUNTIES is in compliance with Chapter 159 of the Code of Ordinances of the City of Mattoon and is hereby approved and that the premises described in said Petition for Variance shall be granted a variance of the side yard to eleven (11) feet.

Section 3. This Ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This Ordinance shall be effective upon its approval as provided by law.

Section 5. The City Clerk shall make and file a duly certified copy of this Ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor White, seconded by Commissioner Cook, adopted this 1st day of November, 2005, by a roll call vote, as follows, by consent agenda:

AYES (Names): Commissioner Cline, Commissioner Cook,
Commissioner Ervin, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 1st day of November, 2005.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien
Susan O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on November 2, 2005.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

PUBLIC PRESENTATION, PETITIONS AND COMMUNICATIONS

This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments.

No presentations were made nor public discussion.

UNFINISHED BUSINESS

Mayor White seconded by Commissioner Schilling moved to approve Council Decision Request 2006-531, approving the appointment of Sandy Thiele to a full time Telecommunicator II position at a \$10.00 hourly wage rate effective November 4, 2005. Ms. Thiele is recommended for a Telecommunicator II classification and wage rate as provided in the current collective bargaining agreement due to her

6 years of experience as a public safety dispatcher

Mayor White opened the floor for discussion. No Discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

NEW BUSINESS

Mayor White seconded by Commissioner Cline moved to approve Council Decision Request 2005-532, authorizing acceptance of a proposal and retaining David Ader and staff of the Ancel, Glink, Diamond, Bush, Dicianni & Rolek Law Firm to represent the City of Mattoon in the negotiation of new franchise agreements with Coles Moultrie Electric Cooperative and Ameren CIPS.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to approve Council Decision Request 2005-533, authorizing acceptance of a proposal and giving Hance, Utz & Associates notice to proceed with the preparation of preliminary plans and cost estimates for the remodeling of the 3rd and 4th floors of the Police Building for use by Probation Services and the Drug Task Force. [Measures to comply with the new Illinois Energy Conservation Code and to improve the security of the main entrance and reception area.]

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Ervin moved to recess to closed session at 7:04 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)); the purchase or lease of real property (5 ILCS 120(2)(c)(5)); the price for sale or lease of property (5 ILCS 120(2)(c)(6)); or litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c)(11)); Grievance of AFSCME Local 3821 seeking preference for union members over non-union regular and temporary employees for assignment to Lake Paradise maintenance tasks; Proposed updated job description for telecommunicator jobs of the municipality; Proposal to retain Robert Howrey to represent the City of Mattoon in the negotiation for acquisition of land needed for storm water detention sites for the Kickapoo Creek Watershed Flood Control Project; Status of negotiations on a proposed land exchange whereby the City would acquire real estate south of the YMCA in exchange for a land owned by the municipality; and Selection of a successor city administrator.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Council reconvened from closed session at 8:12 p.m.

Mayor White seconded by Commissioner Cook moved to appoint entire City Council with the following people as a search committee for the City Administrator position: Jerry Groniger, Coordinator; Mary Wetzel; Phyllis Karpus; and Chuck Miller.

Mayor White opened the floor for discussion. No discussion.

Mayor White seconded by Commissioner Cook moved to adjourn at 8:13 p.m.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

/s/ Susan J. O'Brien
City Clerk